



City Council Agenda

Council President
Henry T. Perea

Councilmembers

Brian Calhoun, Ph.D.
Mike Dages
Jerry Duncan

Cynthia Sterling
Larry Westerlund
Blong Xiong – Acting President

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650.

The City Council welcomes you to this meeting.

April 10, 2007

8:30 A.M. ROLL CALL

Invocation by Councilmember Dages

Pledge of Allegiance to the Flag

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Ceremonial Presentations:

Presentation of SPCA Pet of the Month – Councilmember Dages – laid over one week

[Approve minutes of March 27, 2007](#)

Action Taken: Approved as submitted

Councilmember Reports and Comments

Action Taken: See minutes

Approve Agenda

Action Taken: Approved as amended

Adopt Consent Calendar

Action Taken: All items approved, see minutes

1. CONSENT CALENDAR

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. * [RESOLUTION - 16th Amendment to the FY07 Salary Resolution 2006-257 to provide certain benefits to non-represented employees in Unit 02 – Personnel Services Department](#)
Action Taken: Resolution No. 2007-130 adopted
1. [Approve an Appendix to the City of Fresno Retiree Health Reimbursement Arrangement](#)
Action Taken: Approved
- B. * [RESOLUTION - 15th Amendment to the FY07 Salary Resolution 2006-257 modifying the classification of Bus Mechanic I – Personnel Services Department](#)
Action Taken: Resolution No. 2007-131 adopted
- C. * [RESOLUTION - 66th Amendment to AAR No. 2006-253 appropriating \\$160,000 in Convention Center Parking Garage Bond Proceeds to provide funds for the completion of the project that was previously approved by Council \(**Requires 5 Affirmative votes**\) – Public Works Department](#)
Action Taken: Resolution No. 2007-132 adopted
- D. * [RESOLUTION – Approving the application for and acceptance of two Safe Routes to School grants in the amount of \\$327,600 for the installation of a flashing beacon, bike lane, curb, gutter and sidewalk in the proximity of Teague and Hidalgo Elementary Schools, with total project costs of \\$530,200 – Public Works Department](#)
Action Taken: Resolution No. 2007-133 adopted as corrected, see minutes
1. * [RESOLUTION – 68th Amendment to AAR No. 2006-253 appropriating \\$327,600 in Safe Routes to School Program grant funds, \\$125,000 in local agency funds and recognizing \\$77,600 in additional Measure C revenue to install sidewalk and curb ramps near Hidalgo and Teague Elementary Schools \(**Requires 5 Affirmative votes**\)](#) Resolution No. 2007-134 adopted
- E. * [Approve Amendment No. 3 to contract for the transportation and treatment of Pinedale Public Utility District sewage – Department of Public Utilities](#)
Action Taken: Recommendation approved
- F. [Accept annual report from Calcot, Ltd., under development agreement – Public Works Department](#)
Action Taken: Accepted

1. **CONSENT CALENDAR CONTINUED**

- G. * [Award a contract in the amount of \\$309,100, to Louis R. Avila, DBA L &K Equipment for the reconstruction of Cedar/North Avenue intersection, located in Council District No. 3 – Public Works Department](#)
Action Taken: Awarded as recommended
- H. * [Award a contract to Granite Construction Company in the amount of \\$204,718 for the installation of street infrastructure in No Neighborhood Left Behind Area 46, located in Council District No. 4 – Department of Public Utilities](#)
Action Taken: Awarded as recommended
- I. * [Award a contract to Central Valley Asphalt in the amount of \\$249,572.40 for the installation of street infrastructure in No Neighborhood Left Behind Area 70, located in Council District No. 7 – Department of Public Utilities](#)
Action Taken: Awarded as recommended
- J. * [Award a contract in the amount of \\$294,718.18 to Witbro Inc. DBA Seal Rite Paving and Grading for the installation of street infrastructure in No Neighborhood Left Behind Area 98, located in Council District No. 1 – Department of Public Utilities](#)
Action Taken: Awarded as recommended
- K. * [Approve professional services agreement with Provost & Pritchard Engineering Group, Inc., for \\$1,831,500 for engineering design, environmental services, and right-of-way acquisition services, for the construction of a raw water pipeline to City's surface water treatment facility – Department of Public Utilities](#)
Action Taken: **Approved as recommended**
1. * [RESOLUTION – Approve the reallocation of \\$1,022,500 from various water capital projects within the Water Enterprise Fund to provide additional appropriations for the professional services agreement](#)
Action Taken: Resolution No. 2007-135 adopted
- L. * [Award a contract to West Valley Construction Company for residential water service transfers in the amount of \\$177,017 – Department of Public Utilities](#)
Action Taken: Awarded as recommended
- M. * [Authorize City Manager to negotiate and enter into a \\$170,552 contract with Quad Knopf for engineering and design projections for the downtown riverwalk feasibility study – Economic Development Department](#)
Action Taken: Recommendation approved

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. A. **SCHEDULED COMMUNICATION –**

B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda

Appearance by Paula Savino regarding legislation involving dogs

Appearance by Jose Luis Baraza regarding ADA

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:15 A.M.

CITY COUNCIL

- A. **RESOLUTION** - Of the Mayor and the Council of the City of Fresno proclaiming their opposition to CA SB 931 and proclaiming their support for enabling legislation that will create a "level playing field" for applications applying for Proposition 84 funds – Councilmember Calhoun
Action Taken: Resolution No. 2007-136 adopted
- B. * Request staff to install and maintain two temporary portable restrooms and a trash dumpster at the homeless camp under the Monterey Street overpass on "H" street at the Southern Pacific track – Councilmembers Duncan and Sterling
Action Taken: Request made. Resolution giving formal direction to return on 4/17/07

10:00 A.M.#1

- HEARING** to adopt a resolution to vacate a portion of Yale Avenue west of Weber Avenue, located in Council District No. 1 – Public Works Department
Action Taken: Hearing held
1. * **RESOLUTION** – Ordering the vacation of a portion of Yale Avenue west of Weber Avenue
Action Taken: Resolution No. 2007-137 adopted

10:00 A.M.#2

- HEARING** to annex Final Tract No. 5482 to the City of Fresno Community Facilities District No. 11, Annexation No. 16 (**Property located in District 5**) – Public Works Department
Action Taken: Continued to 4/17/07 at 10:15 a.m.
- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 11 and authorizing the levy of a special tax
Action Taken: Continued as noted above
- b. **RESOLUTION** - Calling special mailed-ballot election
Action Taken: Continued as noted above
- c. **RESOLUTION** - Declaring election results
Action Taken: Continued as noted above
- d. * **BILL** - Levying a special tax for the property tax year 2006-2007 and future tax years within and relating to Community Facilities District No. 11, Annexation No. 16
Action Taken: Continued as noted above

10:15 A.M.

- HEARING** to adopt a resolution to vacate a portion of the Clinton-Terrace alley east of Blackstone Avenue (**Property located in District 7**) – Public Works Department
Action Taken: Hearing held
1. * **RESOLUTION** – Ordering the vacation of a portion of the Clinton-Terrace Alley east of Blackstone Avenue
Action Taken: Resolution No. 2007-138 adopted

10:30 A.M.

- TEFRA HEARING** regarding matters concerning a Certificate of Participation financing for Community Medical Centers System – Finance Department
Action Taken: Hearing held
1. TEFRA public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (as amended) to hear and consider information concerning a proposed financing by the California Municipal Finance Authority in the aggregate principal amount not to exceed \$350 million, involving the proposed execution and delivery of Certificates of Participation for the benefit of Community Medical Centers System entities which collectively operate as Community Medical Centers
Action Taken: Hearing held
- 2.* **RESOLUTION** – Approving the Certificate of Participation financing for Community Medical Centers System
Action Taken: Resolution No. 2007-139 adopted

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***SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

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AND MAY BE AMENDED AT ANYTIME

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:35 A.M.#1 HEARING to consider Vesting Tentative Tract Map No. 5710/UGM (Cancelled due to withdrawal of appeal) (Property located in District 1) – Public Works Department
Action Taken: Cancelled as noted above

10:35 A.M.#2 **GENERAL ADMINISTRATION**

- A. Approve solar photovoltaic generating system projects at Fresno Yosemite International (FYI) Airport with World Water & Power Corporation, making related findings and authorize execution of documents – Airports Department
Action Taken: Staff recommendation approved

11:00 AM. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

- A. **HEARING** regarding eminent domain, property located at 505 and 525 "N" Street ("CalTrans building") (*Continued to 3:00 p.m. on April 17, 2007*)
Action Taken: Continued as noted

ADJOURN AGENCY

2:00 P.M. – 5:00 P.M. – WORKSHOP on Department presentations

Tabled to 4/24/07 at 2:00 p.m.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Apr. 17 – 10:00 A.M. **HEARING** re: Rezone Appl. No. R-06-19, filed by Quad Knopf, on behalf of Team 5 Properties, 2.3 acres on east side of N. Chestnut between Teague and Shepherd Aves.

Apr. 17 – 10:10 A.M. **HEARING** re: Rezone Appl. No. R-06-38, filed by Krum

Apr. 17 – 3:00 P.M. **HEARING** re: eminent domain, property located at 505 and 525 "N" Street (CalTrans building)

Apr. 17 – 4:00 P.M. **HEARING** re: Vesting Tentative Tract Map Nos. 5742 and 5743 related to LakeView condominium conversion application

Apr. 24 – 8:30 A.M. PRIDE Team Presentations for the Spring Quarter (*Reception immediately following – 2nd floor foyer*)

Apr. 24 – 10:00 A.M. **HEARING** re: Rezone Appl. No. R-06-60, filed by Claude Saiz, Jr.

Apr. 24 – 10:10 A.M. **HEARING** re: Rezone Appl. No. R-06-68, filed by the City of Fresno

Apr. 24 – 10:15 A.M. **HEARING** re: Variance Appl. No. V-06-03, filed by East Bay Tire Company (30 min)

Apr. 24 – 10:45 A.M. **HEARING** re: Rezone Appl. No. R-06-66, filed by Donald Sims

May 9 – 2:00 P.M. Presentation of Employee Service Awards (*Reception immediately following – 2nd floor foyer*)
(Wednesday)